

ORIGINAL

WITH MAP

DOCKET FILE CITY OF CHICAGO

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APR 18 1994

MAIL BRANCH

ENGINEERING STATEMENT

PETITION FOR RULE MAKING TO
AMEND SECTION 73.202 OF THE RULES
AND REGULATIONS FOR THE FEDERAL
COMMUNICATIONS COMMISSION
TO ASSIGN FM CHANNEL 276 A
FOR USE AT SHASTA LAKE CITY, CALIFORNIA

MARK C. ALLEN

2/94

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ENGINEERING STATEMENT

This Engineering Statement has been prepared on behalf of Mark Allen in support of a Petition for Rulemaking to revise §73.202 of the Commission's Rule to assign channel 276 A for use at Shasta Lake City, California (formerly Summit City, Central Valley, Project City and Pine Grove).

As outlined in the attached channel studies channel 276 A can be assigned for use at Shasta Lake City in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments. For this study a site on Bass Mountain was used. This site is 6 km north of central Shasta Lake City. The nominal distance to the 70 dBu F(50,50) contour for a class A station is 16 km, therefore this site will provide greater than 70 dBu coverage for all of Shasta Lake City.

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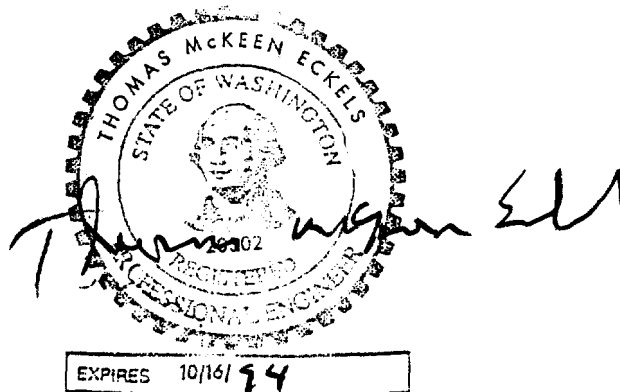
APR 18 1994

MAIL BRANCH

CERTIFICATION

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotment to specify channel 276 A for use at Shasta Lake City, California, has been prepared on behalf of Mark Allen. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the State of Washington.

31 January 1994



Thomas McKeen Eckels, P.E.

MARK C. ALLEN
3745 McHale Way
REDDING, CA. 96001

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STATEMENT

MAIL BRANCH

THE FOUR CITY'S
(CENTRAL VALLEY, SUMMIT CITY, PROJECT CITY, PINE GROVE)
AS OF JULY 2, 1993
HAVE INCORPORATED INTO A NEW CITY
WITH A NEW NAME **SHASTA LAKE CITY**
WITH A NEW POPULATION OF 9720
INCLOSED IS DOCUMENTS AND AN MAP
THAT SHOW THE NEW CITY LIMITS
AND PROOF OF INCORPORATION

WHEN CHANNEL 276 A
FOR SHASTA LAKE CITY IS APPROVED
I WILL FILE FOR A CONSTRUCTION PERMIT

MARK C ALLEN

A handwritten signature in black ink, appearing to read "Mark C. Allen", written in a cursive style.

FM SEPARATION STUDY

MAIL BRANCH

Job Title :Shasta Lake City Bass Mt.

Separation Buffer 100 km

FCC DB Date : 11/23/93

Channel 276A (103.1 MHz)

Coordinates : 40-43-58 122-21-59

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KZAP CP	Red Bluff CA	BPH921230IG	274C2 102.7	5.5 431.0	40-20-41 121-56-48	140.4	55.88 .88	55 CLOSE
KZAP LIC	Red Bluff CA	BLH880519KB	274C2 102.7	3.00 532.0	40-15-31 122-05-20	155.9	57.68 2.68	55 CLOSE
PADD Counterproposal	Bonanza OR	RM8346	275A 102.9	.0	42-12-00 121-24-00	26.0	181.86 109.86	72 CLEAR
K276CR LIC	Burney, etc. CA	BLFT860630TR	276D 103.1	.045 DA 675.0	40-52-32 121-46-12	72.3	52.77 .00	0 TRANS
K276AV LIC	Happy Camp CA	BLFT800905IF	276D 103.1	.0	41-51-30 123-21-13	326.9	149.89 .00	0 TRANS
K276AV CP	Happy Camp CA	BPFT830316MG	276D 103.1	.0	41-51-30 123-21-13	326.9	149.89 .00	0 TRANS
KNLF CPM	Quincy CA	BMPH920219JI	276A 103.1	3.00 DA -142.0	39-58-03 120-53-34	123.8	151.32 36.32	115 CLEAR
*To Amend to channel 240A per D89-402								
KKCY LIC	Colusa CA	BLH901004KB	276A 103.1	.135 599.0	39-12-21 121-49-11	164.5	175.87 60.87	115 CLEAR
KUKIFM CP	Ukiah CA	BPH920324IH	277B 103.3	2.70 560.0	39-19-36 123-16-12	206.5	174.15 61.15	113 CLEAR
KUKIFM LIC	Ukiah CA	BLH6416	277B 103.3	1.90 561.0	39-19-36 123-16-12	206.5	174.15 61.15	113 CLEAR
KHSLFM LIC	Paradise CA	BLH920402KD	278B1 103.5	1.60 381.0	39-57-29 121-42-50	147.1	102.35 54.35	48 CLEAR
KWEO CP	Garberville CA	BPH910717MB	279C1 103.7	7.6 807.0	40-07-15 123-41-27	239.2	131.35 56.35	75 CLEAR
KWEO APP	Garberville CA	BMPH930827IE	279C1 103.7	8.0 790.0	40-07-13 123-41-32	239.2	131.48 56.48	75 CLEAR

** End of separation study for channel 276A **



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SHASTA COUNTY

APR 18 1994

LOCAL AGENCY FORMATION COMMISSION

MAIL BRANCH

1855 Placer Street
Redding, CA 96001
(916) 225-5661
FAX (916) 225-5667

RICHARD W. CURRY
Executive Officer

C E R T I F I C A T E O F C O M P L E T I O N

Pursuant to Government Code Sections 57200 and 57201, this Certificate is issued by the Executive Officer of the Local Agency Formation Commission of Shasta County, California.

1. The short-form designation, as determined by LAFCO, is: Reorganization: Incorporation New City (Shasta Dam Area)/Dissolution Shasta Dam Area Public Utility District and Summit City Lighting District.

2. The name of each district or city involved in this change of organization or reorganization and the kind or type of change or organization ordered for each city or district are:

<u>City or District</u>	<u>Type of Change of Organization</u>
Shasta Dam Area PUD	Dissolution
Summit City Lighting District	Dissolution
City of Shasta Lake	Incorporation

3. The above-listed cities and/or special districts are located within the County of Shasta.

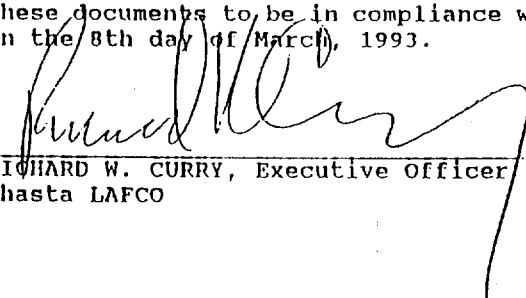
4. A description of the boundaries of the above-cited change of organization or reorganization is shown on the attached map and legal description, marked Exhibits B & A and by reference incorporated herein.

5. The territory involved in this change of organization or reorganization is: Inhabited.

6. This change of organization or reorganization has been approved subject to the following terms and conditions. See Attachment A.

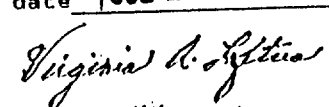
7. The resolution ordering this change of organization or reorganization without election, or confirming an order for this change after confirmation by the voters, was adopted on March 9, 1993, by the Shasta County Board of Supervisors and is attached hereto as Exhibit C.

I hereby certify that I have examined the above-cited resolution, including any terms and conditions, and the map and legal description and have found these documents to be in compliance with LAFCO Resolution No. 93-02, adopted on the 8th day of March, 1993.


RICHARD W. CURRY, Executive Officer
Shasta LAFCO

July 1, 1993
Date

RECORDED IN OFFICIAL RECORDS
OF SHASTA COUNTY CALIF.
AT 30 MIN. PAST 11 A. M.
date JUL 1 1993


Virginia R. Higgins
Recorder/Recorder Pro

NO FEE

SHASTA LOCAL AGENCY FORMATION COMMISSION
TERMS AND CONDITIONS RELATED TO THE INCORPORATION
OF A CITY IN THE SHASTA DAM AREA

A. The boundaries of the new city shall as set forth in Exhibit A, attached hereto and made a part hereof.

B. The name of the city shall be determined by the voters at the time of the confirmation election from the following choices and any others the Board of Supervisors, as the Conducting Authority, may deem appropriate.

- (1) City of Lassen View
- (2) City of Mountain Lakes
- (3) City of Shasta Dam
- (4) City of Shasta Heights
- (5) City of Shasta Lake

C. Pursuant to Government Code Section 57202(d), the effective date of the incorporation of the City of Shasta Dam Area shall be July 2, 1993 or, if the incorporation process is interrupted by litigation or any other impediment, as soon thereafter as possible.

D. The City Council of the new city shall consist of five members. The members shall initially be elected at large from throughout the incorporation area. Terms of office for the members of the City Council shall be in accordance with Government Code Section 57377 and 57379. In addition to all other means authorized by law, the first meeting of the City Council may be called by notice given in a lawful manner by any three members of the City Council.

E. Pursuant to Government Code Section 57376, the City Council of the new city shall, immediately following its organization and prior to performing any other official acts, adopt an ordinance providing that all County ordinances theretofore applicable shall remain in full force and effect as ordinances of the city for a period of 120 days after incorporation, or until the City Council has enacted ordinances superseding the County ordinances, whichever occurs first.

F. The city shall have a city manager/council form of organization until such time as the City Council chooses to change this form of organization in accordance with appropriate statutes and the City Council shall fill the positions of city manager and city attorney by appointment; all other city officials shall be appointed by the city manager or his or her designee.

G. The Board of Supervisors shall continue to furnish to the incorporated area all services furnished to the area prior to incorporation for the remainder of the fiscal year during which the incorporation becomes effective or until the city council requests discontinuance of the services, whichever occurs first. If the city desires any increase in the level of such services during the fiscal year in which incorporation becomes effective or if the city desires continuation of such services in subsequent years, it shall enter into a mutually acceptable agreement with the County to obtain the desired increases in service levels and/or continuation of services.

H. The new city shall reimburse the County for the net costs of the services provided pursuant to the first sentence of Condition "G." Reimbursements shall be made by the city council in four (4) annual installments, beginning on July 2, 1994 and ending on July 2, 1998. Interest shall be paid by the city on the total amount owing at a rate of interest equivalent to the rate of interest earned by Shasta County Treasury pool. Such interest shall be added to the four (4) annual installments.

I. The city council shall reimburse the County in accordance with Government Code Section 57150, for all proper expenses incurred in conducting elections on the question of the reorganization and selection of city council members. Reimbursement shall be made during the year following the effective date and not be later than July 2, 1995. Interest shall be paid by the city on the total amount owing at a rate of interest equivalent to the rate of interest earned by Shasta County Treasury pool for the affected period.

J. The provisional appropriations limit of the city, pursuant to Government Code Section 56842.6 shall be \$1,764,374 for FY 1993-94. A permanent limit will be set by the voters of the city at the first municipal election which is held following the first full fiscal year of operation by the new city.

K. The new city shall be authorized to continue to levy as general taxes, benefit assessments and fees, those general taxes, benefit assessments and fees from time to time levied by the County, the Shasta Dam Area Public Utility District and the Summit City Lighting District. The types, rates, and method of collection shall be as follows:

(1) A sales and use tax at the rate of one percent (1%) (or such other rate as is permitted by law) of the retail sale or use of tangible personal property within the city which shall be collected under contract by the State Board of Equalization and returned to the city pursuant to applicable law;

(2) A transient occupancy tax at the rate of ten percent (10%) (or such other rate as is permitted by law) of the gross rental receipts of hotels and motels within the city to be collected by the hotel or motel operator and returned to the city pursuant to local ordinance;

(3) A real property transfer tax at the rate of \$0.275 per \$500 (or such other rate as is permitted by law) of value upon the sale of real property within the city to be collected by the County and returned to the city pursuant to local ordinance;

(4) All other taxes, benefit assessment and fees presently imposed by the county and the Shasta Dam Area Public Utility District and Summit City Lighting District at the same rates as imposed by the County and District (or such other rate as is permitted by law) to be collected by the same method of collection as used by the County and District.

L. Pursuant to Government Code Section 57385, all roads and highways or portions of road(s) and highway(s) which had been accepted into the County road system pursuant to Section 941 of the Street & Highway Code shall become City streets on the effective date of incorporation.

M. If the city discontinues or reduces, or permits its franchisee to discontinue or reduce, the flow of solid waste from the city area to the West Central Landfill by allowing solid waste generated within the city to be disposed of in facilities other than the West Central Landfill, the city shall continue to assist in the retirement of outstanding revenue bonds issued and sold for the purpose of the Landfill expansion, as follows:

(1) The city shall be responsible to pay to the County annually an amount to retire the outstanding bonds until such time as the bond obligation, as it exists at the time of the incorporation, is fully retired.

(2) The city's proportionate share of the annual repayment amount shall be equivalent to that percentage of the total amount of solid waste disposed of at the West Central Landfill during the year in which the incorporation occurred and originated within the incorporation boundaries.

(3) The city is authorized to levy or fix and collect taxes, assessments, services charges, rental or rates, as specified in Government Code Section 56844(c), in an amount necessary to provide for those payments.

This condition shall only apply if the city discontinues or reduces, or permits its franchisee to discontinue or reduce the flow of solid waste to the West Central Landfill.

N. The closed County landfill located within the city shall remain County property until such time as the County and the City agree to transfer the landfill to the City subject to an agreement between the City and County on their respective responsibilities for long term monitoring, maintenance and

liability. Until such an agreement is reached between these agencies the city shall pay the County an annual amount equivalent to the solid waste franchise fees to be generated annually from within the city in the same proportion as County solid waste franchise fees were used for the monitoring and maintenance of said landfill in fiscal year 1993/94. The city shall be authorized to levy of fix and collect taxes assessments, service charges, rentals or rates, as specified in Government Code Section 56844(b) for the purpose of providing payments required by this condition. Any franchise fees the city imposes which are in addition to current fees shall not be subject to payment to the County.

O. The city shall be the successor to the dissolved districts with the assets, liabilities, obligation, service responsibilities and employees of the dissolved districts transferred to the new city.

P. Subject to the needs of the new city, all existing civil service rights, seniority rights, retirement rights and other employee benefits and rights for existing employees shall be continued.

Q. All assets, including any money or funds, both on hand and moneys due but uncollected and obligations of the Shasta Dam Area Public Utility District and the Summit City Lighting District, including those assets being held in trust or reserve by the County Auditor, shall be transferred to the city upon incorporation.

R. The County Corporation Yard located within the new city shall be transferred to the city effective upon incorporation.

S. The city is authorized to continue to levy all development impact fees, assessments, parcel charges and other user charges currently levied by the County on properties within the incorporation area for a period not to exceed 120 days following the effective date of incorporation. During this period, the city shall adopt necessary ordinances and resolutions as may be necessary in order to perpetuate any such fees, assessments or charges. All unencumbered balances of such funds being held by the County shall be transferred to the city effective upon incorporation.

T. The amount of property tax revenue to be exchanged by the County of Shasta and the proposed new city pursuant to Section 56842 shall be \$684,667 (hereafter "base year property tax amount") based upon the information and calculations contained in the CFA as modified by the Executive Officer's report. This amount shall be reduced as adjustments required in accordance with Condition W are made known. In addition, the proposed new city shall receive one hundred percent (100%) of the property tax allocated to the Shasta Dam Area Public Utility District and the Summit City Lighting District.

U. To the extent that the base year property tax amount, as determined by Condition T, exceeds the amount actually apportioned to the new city from the tax codes areas situated within the initial city boundary, the County of Shasta shall, on an annual basis, pay to the city the amount of the difference. As the assessed value within the initial city boundaries increases, the difference between the base year tax amount determined by Condition T and the actual tax received will become less. The resulting difference between the base property tax amount and tax generated within the tax code areas situated within the city's initial boundaries, shall be the amount the County shall transfer to the City. This shall continue annually until such time as the actual property tax apportioned to the city is equal to the base year tax amount determined by Condition T, after which no further annual payments from the County to the city shall occur.

V. At such time that property taxes generated within the City meet or exceed the tax transfer amount in each of the tax rate areas within the incorporation area, the amount of property tax increment apportioned to the city and the County including that increment attributable to the taxes from the Shasta Dam Area Public Utility District and Summit City Lighting District shall be equal. The intent of this section is to establish property tax apportionment factors for the tax code areas within the city to be used for apportioning future property tax growth allocations to the city and the County General Fund.

W. If the State of California between fiscal year 1991-92 through the adoption of the State budget for FY 1993-94 reduces the property tax revenue to the County by adjusting the formulas or AB-8 factors without providing actual replacement revenues and the State does not also proportionately reduce the property tax share of the new city, the city's base year amount shall be adjusted to the same degree as the County property tax factors would have been adjusted. The amount of this adjustment for fiscal year 1991-92 is \$36,000. The intent of this condition is that the property taxes reallocated to the city be treated, for purposes of State directed tax reduction, as if they were still County revenues for the purpose of required reductions.

X. Jurisdiction over the Redevelopment Project may be transferred to the new city pursuant to the Health and Safety Code.

Y. The County of Shasta and Shasta Dam Area Public Utility District ("the subject agencies") shall enter into a written agreement that is consistent with Exhibit 1 prior to the Executive Officer's execution and filing of a certificate of completion for this reorganization.

SHASTA
LAKE

S.P.R.R.

NEW

SHASTA LAKE CITY

INTERSTATE 5

SHASTA DAM AREA
INCORPORATION
STUDY AREA

SUMMIT
CITY

PROJECT
CITY

CENTRAL VALLEY

PINE GROVE

Exhibit A

CITY
OF
REDDING

SHEET 1-500

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554IN REPLY REFER TO:
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MAIL BRANCH

Thomas McKeen Eckels, P.E.
Hatfield and Dawson
4226 Sixth Avenue
Seattle, WA 98107

Dear Mr. Eckels:

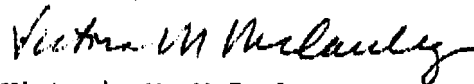
This is in response to the petition for rule making which you submitted on behalf of Mark E. Allen, seeking the allotment of Channel 276A to "...Shasta Lake City, California (formerly Summit City, Central Valley, Project City and Pine Grove" as that locality's first local aural broadcast service.

Section 307(b) of the Communications Act of 1934, as amended, requires that the Commission allot channels "... among the several States and communities." The Commission has defined "communities" as geographically identifiable population groupings. Generally, if a community is incorporated or listed in the U.S. Census, that is sufficient to satisfy its status. However, Shasta Lake City is not listed in the 1990 U.S. Census or other officially recognized references, nor can it be located using the coordinates you provided.

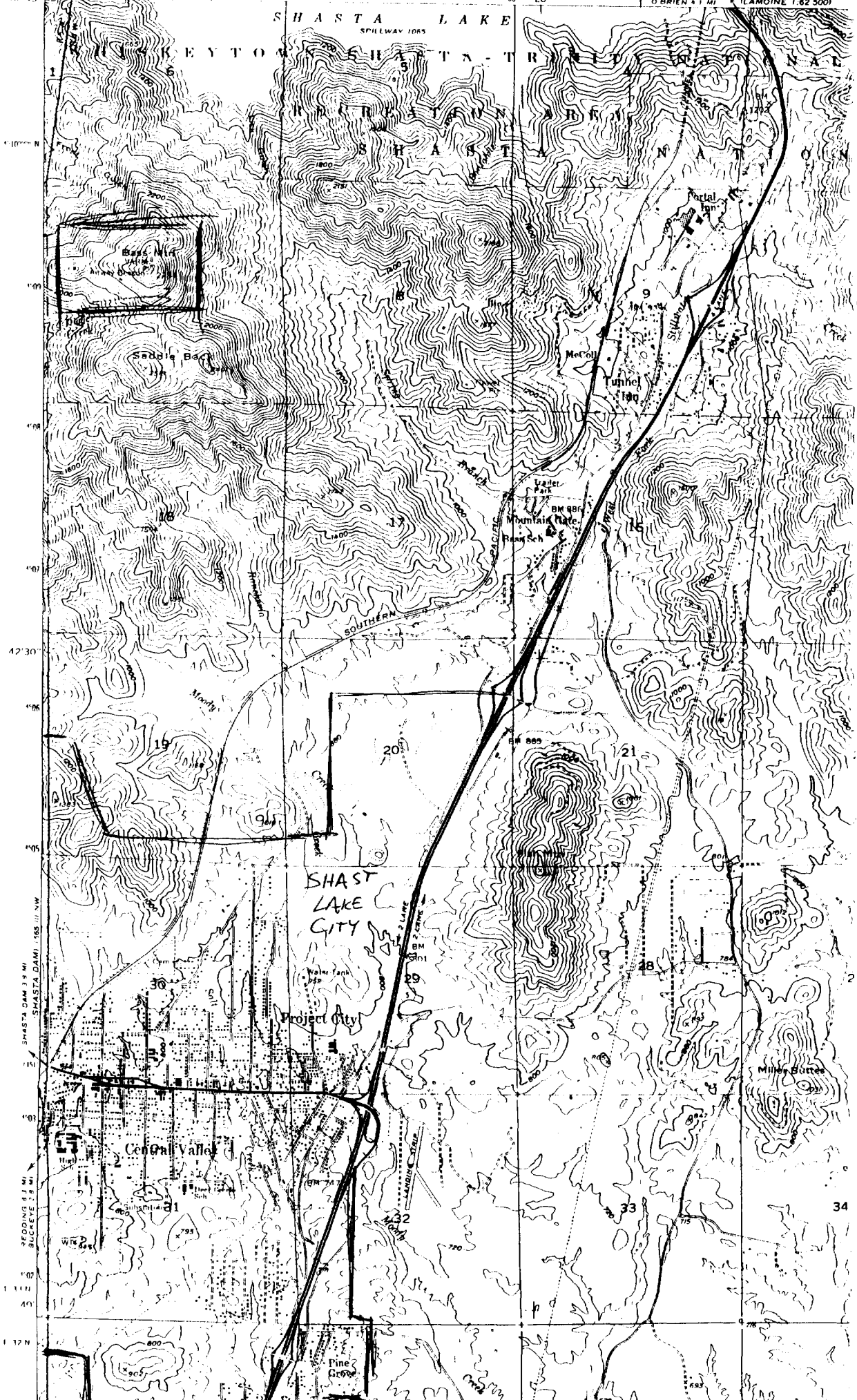
Additionally, according to the 1994 Rand McNally Commercial Atlas and Marketing Guide ("Atlas"), Summit City, Central Valley, Project City and Pine Grove are individually listed, and there is no indication that those localities have been consolidated and identified as Shasta Lake City. Moreover, we note that Central Valley is listed as a Census Designated Place ("CDP") and attributed with a population of 4,340 people according to the 1990 U.S. Census.

As a result of the information before us, we find that you have provided insufficient information to merit proposing the allotment of Channel 276A to Shasta Lake City, California, and therefore, the proposal is unacceptable for filing. If you wish to refile the proposal we will require the submission of officially recognized maps establishing the legal boundaries for Shasta Lake City to determine whether the requirements of Section 73.315 of the Commission's Rules with respect to coverage of the proposed service area could be met. Additionally, you must present the Commission with sufficient information to demonstrate that the proposed locality has social, economic, cultural or governmental indicia generally associated with a community to qualify it as such for allotment purposes. See, e.g., Beaver Springs, Pennsylvania, 4 FCC Rod 5373 (1989); Sargent, Nebraska, 4 FCC Rod 3933 (1989); Bartow, Georgia, et al., 4 FCC Rod 6876 (1989); East Hamat, California, et al., 4 FCC Rod 7895 (1989); and Ellwood, California, 50 FR 13031, published April 2, 1985.

Sincerely,



Victoria M. McCauley
Acting Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau



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